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Local Counsel

[Additional counsel appear on signature page.]

UNITED STATES DISTRICT COURT

DISTRICT OF NEW JERSEY

LAURA POTTER, Individually and on)	No. 3:15-cv-07658-MAS-LHG
Behalf of All Others Similarly Situated,)	
Plaintiff,)	<u>CLASS ACTION</u>
vs.)	TIAA-CREF'S NOTICE OF
)	UNOPPOSED MOTION
VALEANT PHARMACEUTICALS)	
INTERNATIONAL, INC., et al.,)	MOTION DAY: January 19, 2016
Defendants.)	
_____)	

[Caption continued on following page.]

LIHAO CHEN, Individually and on)	No. 3:15-cv-07679-MAS-LHG
Behalf of All Others Similarly Situated,)	
)	<u>CLASS ACTION</u>
Plaintiff,)	
)	
vs.)	
)	
VALEANT PHARMACEUTICALS)	
INTERNATIONAL, INC., et al.,)	
)	
Defendants.)	
)	
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JUSAN YANG, Individually and on)	No. 3:15-cv-07746-MAS-DEA
Behalf of All Others Similarly Situated,)	
)	<u>CLASS ACTION</u>
Plaintiff,)	
)	
vs.)	
)	
VALEANT PHARMACEUTICALS)	
INTERNATIONAL, INC., et al.,)	
)	
Defendants.)	
)	
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ALAN FEIN and ARIEL FEIN,)	No. 3:15-cv-07809-MAS-LHG
Individually and on Behalf of All Others)	
Similarly Situated,)	<u>CLASS ACTION</u>
)	
Plaintiffs,)	
)	
vs.)	
)	
VALEANT PHARMACEUTICALS)	
INTERNATIONAL, INC., et al.,)	
)	
Defendants.)	
)	
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PLEASE TAKE NOTICE THAT TIAA-CREF¹ hereby respectfully gives notice that its Motion for Consolidation, Appointment as Lead Plaintiff and Approval of Its Selection of Lead Counsel (the “Motion”) is unopposed.

On December 21, 2015, TIAA-CREF timely filed its Motion pursuant to the Private Securities Litigation Reform Act of 1995 (“PSLRA”). *See* Dkt. No. 22. While there were several other movants, each has either filed a notice in support of TIAA-CREF’s Motion, does not oppose TIAA-CREF’s Motion, or has withdrawn its motion.² Notably, in this Circuit, “only class members may seek to rebut the presumption, and the court should not permit or consider any arguments by defendants or non-class members.” *In re Cendant Corp. Litig.*, 264 F.3d 201, 268 (3d Cir. 2001). Accordingly, TIAA-CREF’s Motion is unopposed.

¹ “TIAA-CREF” collectively refers to Teachers Insurance and Annuity Association of America (“TIAA”), College Retirement Equities Fund (“CREF”), TIAA-CREF Funds (including the TIAA-CREF Growth & Income Fund and TIAA-CREF Large-Cap Growth Fund), and TIAA-CREF Life Funds (including the TIAA-CREF Life Growth Equity Fund and TIAA-CREF Life Growth & Income Fund).

² *See* Dkt. No. 38 (“Mr. Daly supports TIAA-CREF for appointment as Lead Plaintiff”); Dkt. No. 39 (“Soyeon Chin supports TIAA-CREF’s motion for appointment as Lead Plaintiff”); Dkt. No. 40 (“Miami hereby withdraws its Motion, and supports the appointment of TIAA-CREF as lead plaintiff.”); Dkt. No. 41 (Valeant Investor Group withdrawing motion in recognition that “TIAA-CREF does possess the largest financial interest” and “the application submitted by TIAA-CREF indicates that it will fairly and adequately represent the interests of the class”) (footnote omitted); Dkt. No. 42 (Notice of Non-Opposition recognizing that “CalPERS does not have the largest financial interest” and not opposing TIAA-CREF’s motion); Dkt. No. 46 (Notice of Non-Opposition recognizing that “Connecticut Laborers do not have the largest financial interest” and not opposing TIAA-CREF’s motion); Dkt. No. 47 (Mr. Blumenkranz “supports TIAA-CREF’s lead plaintiff motion.”); Dkt. No. 49 (Institutional Investor Group withdrawing motion and “supports the appointment of TIAA-CREF as lead plaintiff”).

TIAA-CREF, which incurred a loss in excess of \$90.5 million, has the largest financial interest in the Related Actions and meets all the requirements of Rule 23 of the Federal Rules of Civil Procedure. *See* Dkt. No. 22-1 at 8-10. Accordingly, TIAA-CREF should be appointed Lead Plaintiff and its selection of Robbins Geller Rudman & Dowd LLP as Lead Counsel for the class should be approved. *See* 15 U.S.C. §78u-4(a)(3)(B).

DATED: January 5, 2016

Respectfully submitted,

TRIEF & OLK
TED TRIEF
SHELLY L. FRIEDLAND

s/ Shelly L. Friedland
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[Proposed] Lead Counsel for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that on January 5, 2016, I authorized the electronic filing of the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses denoted on the attached Electronic Mail Notice List, and I hereby certify that I caused to be mailed the foregoing document or paper via the United States Postal Service to the non-CM/ECF participants indicated on the attached Manual Notice List.

s/ Shelly L. Friedland

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